

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

Imad Safa, <i>et al.</i>, Plaintiffs, v. City of Philadelphia, <i>et al.</i>, Defendants.	CIVIL ACTION NO. 13-5007
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ORDER

AND NOW, this 11th day of February 2014, after review of Defendants City of Philadelphia and Detective Frank Straup's (the "City Defendants") Motion to Dismiss, filed on October 11, 2014 (ECF 24); Defendants United Express Jewelry, Gabriel Nisanov, and Israel Nisanov's ("the United Express Defendants") Motion to Dismiss, filed on October 10, 2013 (ECF 20); Defendants Haviv Kasab and Yellow Gold Inc.'s Motion to Dismiss, filed on October 11, 2013 (ECF 21); Defendants Aslan Bawabeh, David Bawabeh, and Italy in Gold Star, Inc.'s Motion to Dismiss, filed on October 11, 2013 (ECF 23); Plaintiffs' Response in Opposition thereto (ECF 25), filed on October 25, 2014; and the United Express Defendants' Reply to Plaintiffs' Opposition, filed on November 5, 2013 (ECF 28), it is hereby **ORDERED** that:

1. The City Defendants' Motion to Dismiss is GRANTED.
 - a. Plaintiffs' civil RICO and conspiracy to commit civil RICO claims (collectively, the "RICO claims") against the City of Philadelphia are dismissed with prejudice.
 - b. Plaintiffs' RICO claims against Defendant Frank Straup are dismissed without prejudice.

2. The Motions to Dismiss filed by the remaining Defendants are GRANTED, without prejudice, as to the RICO claims only.
 - a. The Court will further consider the remaining Defendants' arguments for dismissal of Plaintiffs' non-RICO claims.
3. The Court grants Plaintiffs 14 days to file an amended complaint, either with or without RICO claims.

BY THE COURT:

Timothy J. Savage, for

MICHAEL M. BAYLSON, U.S.D.J.

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